

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19455 of 2020**

Arising Out of PS. Case No.-48 Year-2019 Thana- ISUAPUR District- Saran

SAGIRUL HAQUE Son of Abdul Sattar Resident of Village - Chandpura,
P.S.- Isuapur, Dist.- Saran

... Petitioner

Versus

The State of Bihar

. ... Opposite Party

Appearance :

For the Petitioner :Mr.Md. Anis Akhtar, Advocate

For the Opposite Party :Mr.Dr.Mrityunjaya Kr.Gautam, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 09-06-2020 Heard learned counsel for the parties.

Petitioner is an accused in a case registered for the offences punishable under Sections 302/201/120B of the Indian Penal Code.

Prosecution's case, in brief, is that the petitioner and his family members killed informant's sister by setting her on fire. Petitioner is the wife of the deceased.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in this case only on suspicion. He submits that the petitioner is 80 years old and the deceased was his second wife. He submits that the victim died of accidental fire that caught her at the



time of cooking food and there was no one at the house at the time of occurrence, as such, there is no eye witness to the occurrence. Nothing incriminating has come against him during investigation in support of the allegation. Petitioner has got no criminal antecedent and he is in custody since 24.1.2020. Similarly situated co-accused have already been allowed bail by a different bench of this Court vide order dated 23.8.2019, passed in Cr.Mis.No. 52879/2019.

Considering the facts of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Saran at Chapra in Isuapur Police Station Case No. 48 of 2019, on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to



move for cancellation of bail.

(Prabhat Kumar Singh, J)

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